

# STATE OF COLORADO

**OFFICES OF THE GOVERNOR  
AND THE ATTORNEY GENERAL**



**Bill Ritter, Jr.  
Governor**

**John W. Suthers  
Attorney General**

June 4, 2007

All employees of the State of Colorado:

In February 2007, we wrote to you regarding Amendment 41. In that letter we referenced pending litigation in which the plaintiffs were seeking to strike down portions of the Amendment. On Thursday, the judge in that case entered a preliminary injunction blocking the enforcement of sections 2 and 3 of Amendment 41. Those sections include the Amendment's substantive restrictions and limitations on government employees and public officials accepting gifts and other things of value. Although the district court decision will be appealed, sections 2 and 3 of Amendment 41 are not in effect until that appeal is resolved.

The State of Colorado has nearly 60,000 exceptional public servants. By agreeing to serve in state government, public employees pledge to provide their extensive talents and abilities to better this state and its citizens. However, with this latest turn of events in the ongoing saga of Amendment 41, we wanted to remind each of you of the existing Colorado laws concerning ethics in government.

Thursday's court ruling does not, in any way, roll back the existing code of ethics and other statutory provisions governing the conduct of public officials and government employees. For example, existing Colorado law prohibits government employees from accepting gifts that would improperly influence a public official or government employee to depart from an impartial discharge of his or her duties. Colorado law also prohibits disclosing or using confidential information acquired in the course of official duties to further personal financial interests. Furthermore, there are criminal sanctions for offering, soliciting, or accepting a bribe or other benefit from an outside source in exchange for performing an official act.

Last November, when the voters passed Amendment 41 by a wide margin, they sent a clear message that they want their public officials and government employees to meet an even higher ethical standard. The touchstone of Amendment 41 was that public officials and government employees must not violate the public trust for private gain. We encourage each of you to honor the will of the voters by abiding by the spirit of Amendment 41 in performing your jobs.

If you have specific questions regarding how Thursday's ruling affects you, we encourage you to speak with a supervisor or manager in your department or agency. In the meantime, we will continue to provide guidance as Amendment 41 is interpreted and clarified by the courts. Thank you for the hard work you continue to do on behalf of the citizens of this state.

Sincerely,

Bill Ritter, Jr.  
Governor

John W. Suthers  
Attorney General